

Application No.: 10/084,240
Amendment

REMARKS

Claims 1, 5, 6, 12-14 and 16 are currently pending. Applicants respectfully request reconsideration of this application in light of the following remarks.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 5-6, 12-14 and 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,792,478 to Lawin et al. ("Lawin") in view of U.S. Patent No. 5,893,839 to Johnson ("Johnson") and U.S. Patent No. 6,258,067 to Hill ("Hill"). Applicants respectfully request withdrawal of this rejection because the combination of these references does not teach or suggest each feature recited in the independent claims.

Independent claims 1 and 12 each recite a needle having about a 15 degree bend. As acknowledged by the Examiner, Lawin does not report a needle having a bend. Although Johnson teaches a needle having a curved section, Johnson neither teaches nor suggests a needle having about a 15 degree bend as claimed. Likewise, Johnson does not report that the needle can be used in conjunction with a bulking agent in order to deliver such bulking agent to the vicinity of a patient's urethra. Therefore, persons of skill in the art would not be motivated to modify the needle reported in Johnson to include a 15 degree bend to deliver bulking agent to a patient's urethra.

The Office Action asserts that the arc of the curved portion of the needle reported in Johnson may be varied depending on the patient and the target location, and thus that persons of skill in the art would be motivated to use such a needle to deliver the bulking agent as reported in Lawin. However, Johnson only reports varying the curved portion in reference to vascular procedures (col. 7, lines 23-46), and not to any other target location. Because Johnson does not teach varying the curved portion with respect to other target locations, and does not report the use of the needle for urethral access, persons of skill in the art would not be motivated to modify the curved portion of the needle reported in Johnson to form a 15 degree bend in order to access a patient's urethra.

Claims 6 and 16 were further rejected in view of the depth shield reported in Hill. Claims 6 and 16 depend from independent claims 1 and 12, and as such, claim a needle having about a 15 degree bend. Even if Hill reports the claimed depth shield, Hill does not report a needle

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having about a 15 degree bend for delivering bulking agent to a urethral site. Therefore, claims 6 and 16 are not obvious as asserted in the Office Action.

Applicants respectfully request withdrawal of the rejections to pending claims 1, 5, 6, 12-14 and 16.

CONCLUSION

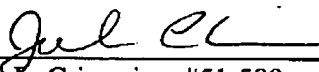
The pending claims are in condition for allowance. Applicants request a notice to that effect. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

Respectfully submitted,

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By:


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